

UNITED STATES DISTRICT COURT

DISTRICT OF MINNESOTA

Crim. No. 18-150(1) (DWF/HB)

UNITED STATES OF AMERICA,)

Plaintiff,)

vs.)

MICHAEL HARI,)

Defendant.)

**Defendant's Proposed Voir Dire
Questions**

Michael Hari, by and through his attorneys, Shannon Elkins and James Becker, hereby respectfully requests that the Court inquire of the jury panel as follows:

BASIC BACKGROUND

1. Where were you born and raised? Where do you live now?
2. What is your educational background?
3. Do you have children? If so, what are their ages, and employment if any.
4. What organizations or groups do you belong to?
5. Have you or anyone in your immediate family ever served in the military or army reserves?
6. Do you have any religious or philosophical convictions which would make it difficult for you to be an absolutely fair and neutral juror in this case?

PREVIOUS JURY SERVICE

7. Have you ever had any jury experience before? If so, on how many juries have you served?
8. Were these in criminal or civil cases? Was there a verdict?
9. Was it state or federal?
10. Was there anything about your previous jury experience that would lead you to feel that you may have some prejudices either for or against the prosecution or the defense in this case?

PREVIOUS CONTACT WITH LAW ENFORCEMENT

11. Have you or any relatives, friends, neighbors, or acquaintances ever been involved in law enforcement, such as police officer, deputy sheriffs, federal agents, prosecutors?
12. (If so), is there anything about your experience, or your relationship or discussions with these other people that would affect your approach to this case?
13. Do you believe law enforcement agents are more honest or trustworthy than other people?
14. Would you be more likely to believe the testimony of a law enforcement officer simply because he or she is a law enforcement officer?

LEGAL EXPERIENCE

15. Do you have any legal training?
16. Have you ever testified in court?

CRIME

17. Have you or any friends, relatives, neighbors or acquaintances ever been victims of a crime? (If so), would your judgment in this case be affected in any way by that experience?
18. Have you or any of your friends, relatives, neighbors or acquaintances ever been accused, investigated, charged with or convicted of a crime? (If so), would your judgment in this case be affected in any way by that experience?

DESTRUCTIVE DEVICE

19. The allegation in this case involves the use of a destructive device. Do you believe that you could be a fair and impartial juror in a case that involved an allegation of the use of a destructive device?
20. Have you ever seen a destructive device in person?
21. Have you ever known anyone to make or use a destructive device?
22. Do you belong to the National Rifle Association (NRA) or any other gun advocacy groups?
23. Do you own any firearms? If so, are they for hunting or protection? Are they long guns or handguns?
24. Is there anyone here who is afraid of guns or would feel uncomfortable with a gun in the courtroom or jury room?

FOLLOWING INSTRUCTIONS

25. Will you follow the Court's instructions to the jury strictly, whether you agree or disagree with them?

26. Do you understand and agree that the burden of proof is exclusively on the government and that evidence must show guilt beyond a reasonable doubt or you must find Mr. Hari not guilty?
27. Do you understand and agree with the principle that Mr. Hari is presumed innocent and that the presumption is sufficient to require a verdict of not guilty unless it is overcome by proof beyond a reasonable doubt?
28. Will you be able to find Mr. Hari not guilty if the government does not prove its case beyond a reasonable doubt?
29. Do you understand and agree with the principle that Mr. Hari has absolutely no obligation to produce any evidence, to prove his innocence, to testify, or to satisfy any burden of proof?
30. Do you understand that the fact that an Indictment has been filed in this case is no evidence whatsoever of guilt?
31. Do you understand that just because an Indictment has been filed, no inference of guilt may be drawn from that accusation?

SUMMARY

32. As you sit here now, do you have any opinion about this case, or as to what the result should be?

Dated: September 29, 2020

Respectfully submitted,

s/Shannon Elkins

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